UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 APR 14 AM 11:05 '08 MJ 11

UNITED STATES OF AMERICA, Plaintiff,	) Magistrate Docket No.
v.	) **COMPLAINT FOR VIOLATION OF:**
Ramon Esperanza CARRILLO, Defendant	) Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **April 10, 2008,** within the Southern District of California, defendant, **Ramon Esperanza CARRILLO,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Ismael A. Canto
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **14th** DAY OF **APRIL 2008.**

Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Ramon Esperanza CARRILLO

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On April 10, 2008, at 5:10 p.m., Border Patrol Agents J. Alvarado and E. Gomez were performing their assigned duties near Boulevard California. Agent Alvarado and Agent Gomez located several footprints on a trail located approximately four miles north of the United States/Mexico Border and twenty-five miles east of the Tecate, California Port of Entry. Agent Alvarado and Agent Gomez exited their vehicle and began to follow the trail when they noticed six set of footprints going in a north direction.

At approximately 5:50 p.m., Agent Alvarado and Agent Gomez encountered a group of six suspected illegal aliens hiding amongst some large boulders. Agent Alvarado identified himself as a Border Patrol Agent to the group and one of the individuals tried to run away. Agent Gomez pursued the subject, later identified as the defendant **Ramon Esperanza CARRILLO**, on foot and was able to arrest him with out incident a short distance away. Agent Gomez escorted the defendant back to the location of the rest of the group. Agent Gomez then questioned each individual as to their citizenship. Each individual, including the defendant, admitted that they were citizens and nationals of Mexico and that they were not in possession of any U.S. Immigration documents that would allow them to remain or enter into the United States legally. All six individuals, including the defendant, were arrested and transported to the Boulevard Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on April 1, 2008** through **El Paso Del Norte, Texas**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on April 12, 2008 at 10:00 a.m.

Irene S. Aguirre
Irene S. Aguirre
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of ~~2~~ one page(~~s~~), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **April 10, 2008** in violation of Title **8**, United States Code, Section **1326**.

Barbara L. Major 4/12/08 at 11:25am
Barbara L. Major
United States Magistrate Judge